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16 Representing the United States of America

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA
12

13 United States of America,
14 Plaintiff,
15 v.
16 BRANDON LAMAR PRUITT,
17 Defendant.
18

Case No. 2:16-cr-00285-APG-NJK

STIPULATION FOR A
PROTECTIVE ORDER

19 The parties, by and through the undersigned, respectfully request that the Court
20 issue an Order protecting from disclosure to the public, or any third party not directly
21 related to the above captioned case, the letter produced by the Government to the
22 Defense on August 11, 2017 (“the Letter”). The parties state as follows:

- 23 1. In anticipation of the evidentiary hearing in the above-captioned case,
24 which was scheduled to proceed on August 14, 2017, the Government

1 requested Henthorn material regarding potential witnesses.

2 2. On August 11, 2017, the Government received and produced the Letter to
3 the defense regarding the requested Henthorn material.

4 3. Operating on a tight timeline, the Government produced the Letter out of
5 an abundance of caution. Since that time, the Government has determined
6 that the material contained in the Letter does not constitute impeachment
7 material because it does not bear on truthfulness, and is considerably aged.

8 4. Upon request of the Government, the defense agreed to not disclose the
9 contents of the Letter until further order of this Court.

10 5. In preparation for trial, the undersigned has spoken with defense counsel
11 who has agreed that the defense will not use the contents of the Letter at
12 trial in this case.

13 6. Accordingly, the parties stipulate and jointly move for a Protective Order
14 from the Court protecting from disclosure to the public, or any third party
15 not directly related to the above captioned case the contents of the Letter,
16 and prohibiting use of the contents of the Letter at trial in the above
17 captioned case.

18 7. Without leave of Court, the parties shall not:

19 a. make copies for, or allow copies of any kind to be made by any other
20 person of the contents of the Letter;

21 b. allow any other person to read, or otherwise review the contents of the
22 Letter;

23 c. attach the contents of the Letter to any of the pleadings, briefs, or other
24

1 court filings except to the extent those pleadings, briefs, or filings are
2 filed under seal.

- 3 8. Should a reasonable need for this protective order cease to exist, on grounds
4 other than the parties violating or circumventing its terms, the
5 Government will move expeditiously for its dissolution.
6 9. The defense hereby stipulates to this protective order.
7

8 Respectfully submitted,
9 For the United States:

10 STEVEN W. MYHRE
11 Acting United States Attorney

12 /s/
13 ELHAM ROOHANI
14 Assistant United States Attorney

15 For the Defense:

16 /s/
17 HEIDI OJEDA, Esq.
18 Attorney for BRANDON LAMAR PRUITT

19 IT IS SO ORDERED:

20 
21 NANCY J. KOPPE
22 United States Magistrate Judge

23 December 8, 2017

24 Date